

FILED

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Clerk, U.S. District Court
District of Montana
Missoula Division

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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,	CR 20-70-BLG-SPW
Plaintiff,	AMENDED INDICTMENT
vs.	AGGRAVATED SEXUAL ABUSE OF
DONALD RAY GARDNER,	A CHILD (Counts I and III)
Defendant.	Title 18 U.S.C. §§ 1153(a), 2241(c)
	(Penalty: Life imprisonment, \$250,000
	fine, and five years of supervised
	release)
	ABUSIVE SEXUAL CONTACT
	(Counts II and IV)
	Title 18 U.S.C. §§ 1153(a), 2244(a)(5)
	(Penalty: Life imprisonment, \$250,000
	fine, and five years of supervised
	release)

THE GRAND JURY CHARGES

COUNT I

That in or before January 1998, at Lame Deer, in Rosebud County, in the

State and District of Montana, and within the exterior boundaries of the Northern Cheyenne Indian Reservation, being Indian Country, the defendant, DONALD RAY GARDNER, an Indian person, knowingly engaged in a sexual act with Jane Doe 1, who was under the age of 12 years at the time of the offense, in violation of 18 U.S.C. §§ 1153(a) and 2241(c).

COUNT II

That in or before January 1998, at Lame Deer, in Rosebud County, in the State and District of Montana, and within the exterior boundaries of the Northern Cheyenne Indian Reservation, being Indian Country, the defendant, DONALD RAY GARDNER, an Indian person, knowingly engaged in sexual contact with Jane Doe 1, who was under the age of 12 years at the time of the offense, in violation of 18 U.S.C. §§ 1153(a) and 2244(a)(5).

COUNT III

That sometime after August 10, 1998, at Black Lodge, in Big Horn County, in the State and District of Montana, and within the exterior boundaries of the Crow Indian Reservation, being Indian Country, the defendant, DONALD RAY GARDNER, an Indian person, knowingly caused Jane Doe 2 to engage in a sexual act by using force against Jane Doe 2, who had attained the age of 12 years but not the age of 16 years at the time of the offense, in violation of 18 U.S.C. §§ 1153(a) and 2241(c).

COUNT IV

That sometime after August 10, 1998, at Black Lodge, in Big Horn County, in the State and District of Montana, and within the exterior boundaries of the Crow Indian Reservation, being Indian Country, the defendant, DONALD RAY GARDNER, an Indian person, knowingly caused Jane Doe 2 to engage in sexual contact by using force against Jane Doe 2, who had attained the age of 12 years but not the age of 16 years at the time of the offense, in violation of 18 U.S.C. §§ 1153(a) and 2244(a)(5).

A TRUE BILL.

FOREPERSON

KURT G. ALME
United States Attorney

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Criminal Chief Assistant U.S. Attorney